

REMARKS

Claims 11, 13-16, and 21-26 are pending. Claims 1-10, 12, and 17-20 have been canceled. Reconsideration of the application is requested.

§ 102 Rejections

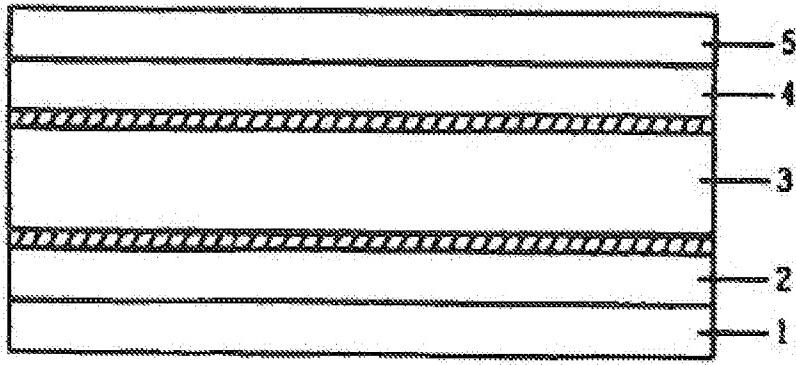
Claims 11, 13-16, and 21-26 were rejected under 35 USC § 102(b) as purportedly being anticipated by JP2002-23663 (JP '663).

Independent Claim 21

The Examiner's interpretation of JP '663 has been reviewed in view of JP '663 (based upon the translation). Applicants respectfully disagree with the Examiner's description of the adhesive sheet of JP '663. In particular, Applicants can not find any description of the adhesive article of independent claim 21, which comprises, in the following order, a first pressure-sensitive adhesive layer, a first black layer, a flexible base layer, a second black layer, and a second pressure-sensitive adhesive layer.

The figure below is taken from JP '633. Based on the description of this figure, elements 1 and 5 are separators. Based on the description of a separator at page 3, paragraph [0007], a separator corresponds to a release liner, and is not relevant to the claimed structure. The remaining elements of the figure are described in order as an adhesive layer (4), a metal vapor deposited layer (the crosshatched layer), a plastic film (3), a second metal vapor deposited layer (the crosshatched layer), and a second adhesive layer (2). (See page 7, [Legend], and the description of FIG. 1 at page 5, paragraph [0013].)

Applicants note that this embodiment fails to include the any independent elements corresponding to the required first black layer and second black layer of claim 21. That is, although JP '663 notes that an adhesive layer may be mixed with a black layer (see, page 5, paragraph [0012]), claim 21 requires separate adhesive layers and black layers.



In the pending rejection, the Examiner cites page 5, paragraph [0011], lines 10-27 as support for the purported teaching of both a first and a second black layer. However, the cited passage merely refers to possibility of including a white or black pigment in an adhesive layer or the “protective layer.” As discussed above, regardless of whether the adhesive layers of JP '663 may be black, this does not anticipate the present claims which require two black layers in addition to two adhesive layers. Thus, if JP '663 teaches a black layer within the meaning of claim 21, it must be the protective layer.

After studying the translation of JP '663, Applicants believe that, at best, JP '663 describes articles which may include one protective layer, but fails to describe the use of two protective layers. Specifically, at page 3, paragraph [0005], JP '663 describes an adhesive sheet that is characterized by that “the sheet is layered in the order of separator, adhesive layer and substrate having at least two metal vapor deposited layers.” JP '663 further requires the adhesive sheet have “a structure in which metal vapor deposited layer is not exposed to the other side of the said adhesive layer excluding the separator.”

Referring to page 4, paragraph [0008], JP '663 describes one substrate sheet as follows:

The substrate sheet which normally uses plastic films and is most advantageous costwise is either installed with a protective layer on the opposite side of metal vapor deposited plastic film which is vapor deposited with metals such as aluminum and silver on both sides or other adhesive layer contacting the above mentioned adhesive layer and a separator are installed In the order described above and in this case, metal vapor deposited layer has two layers and normally two layers of metal deposited layer can achieve the objective of this invention. In such condition, “plastic film metal vapor deposited on both sides + protective

layer” is treated as a “substrate sheet” for the sake of convenience when a protective layer is installed ...

Applicants have interpreted these passages as describing a structure comprising, in order, a separator, and adhesive layer, a metal vapor deposited layer, a substrate, a second metal vapor deposited layer, and some additional “protective layer” which prevents this second metal vapor deposited layer from being exposed. (Additional support for this interpretation can be found at page 3, paragraph [0005] wherein JP '663 defines the phrase “the structure in which metal vapor deposited layer is not exposed on the opposite side of the said adhesive layer.”)

Thus, Applicants conclude, at best, JP '663 may describe an adhesive article that includes one protective layer, but fails to describe, teach or suggest either the presence of or the need for a second protective layer. Therefore, regardless of whether JP '663 may teach that the protective layer may include black pigment, the Examiner has failed to show how JP '663 describes each element of the claimed invention, e.g., two black layers.

For at least these reasons, the rejection of independent claim 21 under 35 USC § 102(b) as being anticipated by JP2002-23663 is unwarranted and should be withdrawn.

Claims 11 and 13-16 depend from claim 21 and add patentable feature thereto. Claim 21 is patentable over JP '663, thus claims 11 and 13-16 are likewise patentable. In addition, please consider the following arguments with respect to certain defendant claims.

Claim 11

According to the Examiner, page 5, paragraph [0011], lines 10-27 teaches black **printed** layers. Applicants can not locate any reference to printing and request that the Examiner provide further explanation or withdraw the rejection.

Claims 13 and 14

According to the Examiner, page 4, column 2, lines 1-10 teaches a laminate further comprising a reflective layer **situated between** the second black layer and the second pressure-sensitive adhesive layer. The passage cited by the Examiner appears to refer to structures including additional metal vapor deposited layers. The described structures can also include a protective layer. However, Applicants were not able to identify any reference to a black “protective layer” or any other black layer located **between** a reflective layer and an adhesive layer. Applicants request that the Examiner provide further explanation or withdraw the rejection.

Claims 15 and 16

Claims 15 and 16 depend from claim 21, and thus require all elements of claim 21; specifically, two adhesive layers, two black layers, and a flexible base layer. In addition, claims 15 and 16 require an additional reflective layer that is either a white film (claim 15) or a white printed layer (claim 16). JP '663 describes metal vapor deposited layers; however, such layers are neither white films nor white printed layers. As noted by the Examiner, JP '663 describes the addition of white pigments to the adhesive layers or the protective layer of its structures. However, the Examiner has relied on this same passage for the purported teaching of two black layers. Applicants respectfully submit that no one layer in the structure of JP '663 can be both a black layer and a white reflective layer. Thus, the Examiner has failed to show any teaching in JP '663 that describes all three layers required by claims 15 and 16, i.e., a first black layer, a second black layer, and a white reflective layer. For these additional reasons, Applicants request withdrawal of the rejections of claims 15 and 16 under 35 USC § 102(b).

Independent claim 22

Claim 22 provides in part a double-sided pressure-sensitive sheet comprising, in the following order, a first pressure-sensitive adhesive layer, a first flexible base layer, a first black layer, a lamination layer, a second black layer, a second flexible base layer, and a second pressure-sensitive adhesive layer, wherein said first pressure-sensitive adhesive layer and said second pressure-sensitive adhesive layer are the outermost layers on either side of the double-sided pressure-sensitive sheet.

The Examiner again relies on FIG. 1 and page 5, paragraph [0011], lines 10-27 of JP '663 as purportedly teaching such a structure. The Examiner also relies on page 3, paragraph [0005]. The passage on page 3 recites:

Here, “the structure in which metal vapor deposited layer is not exposed on the opposite side of the said adhesive layer” can be achieved as explained later in detail, by a method ... [a description of a first method] ... or a method in which two pieces of plastic film which are metal vapor coated on one side are bonded by adhesive agent such as adhesive and in that case, metal vapor deposited layer of the plastic film which is metal vapor deposited on one side which is the side that can not be installed at least above mentioned adhesive layer, is bonded inside ...

Applicants have interpreted this text as describing two pieces of plastic film which are each metal vapor coated on one side. The metal vapor deposited layer of one plastic film is adhesive bonded to the second piece of plastic film, which itself is also metal vapor deposited on one side. It is not clear whether the metal vapor deposited layer of the first plastic film is bonded to the metal vapor deposited layer of the second film, or if it is bonded to the second plastic film on the side opposite the second metal vapor deposited layer. (See page 4, paragraph [0008], which also appears to describe such structures.)

Regardless of the structure, since the black layers of the present invention are patentably distinct from the vapor deposited metal layers of JP '663, Applicants respectfully submit the Examiner has failed to show how this passage describes, in order, a first black layer, a lamination layer, and a second black layer. Nor has the Examiner shown how the addition of a protective layer in the locations described by JP '663, even if it did contain black pigment, would anticipate the present claims. For at least these reasons, Applicants respectfully submit that the rejection of claim 22 under 35 USC § 102(b) as being anticipated by JP2002-23663 is unwarranted and should be withdrawn.

Claims 23-26 depend from claim 22 and add patentable feature thereto. Claim 22 is patentable over JP '663, thus claims 23-26 are likewise patentable. In addition, please consider the following additional arguments with respect to certain dependant claims.

Claims 25 and 26

Claims 25 and 26 depend from claim 22, and thus require all elements of claim 22; specifically, two adhesive layers, two black layers, a lamination layer, and two flexible base layers. In addition, claims 25 and 26 require an additional reflective layer that is either a white film (claim 25) or a white printed layer (claim 26). JP '663 describes metal vapor deposited layers; however, such layers are neither white films nor white printed layers. As noted by the Examiner, JP '663 describes the addition of white pigments to the adhesive layers or the protective layer of its structures. However, the Examiner has relied on this same passage for the purported teaching of two black layers. Applicants respectfully submit that no one layer in the structure of JP '663 can be both a black layer and a white reflective layer. Thus, the Examiner has failed to show any teaching in JP '663 that teaches all of the layers required by claims 25 and 26, including, e.g., a first black

layer, a second black layer, and a white reflective layer. For these additional reasons, Applicants request withdrawal of these rejections.

In view of the above, it is submitted that the application is in condition for allowance. Examination and reconsideration of the application is requested.

Applicants request a telephone interview to more fully understand the Examiners position and advance this case to issuance, particularly if the Examiner disagrees with Applicants' interpretation of the structures described by the passages of JP '663 cited by the Examiner.

Respectfully submitted,

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